

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ELIZABETH M. GINTY,

Plaintiff,

-against-

BROOKHAVEN SCIENCE ASSOCIATES, LLC,
JON ROBB MERKEL, CRISTEL COLON,
KRISTIN WHITE (sued in their individual
capacities pursuant to New York Executive Law §
296(6)),

Defendants.

Case No. 19-cv-07066 (JMA)(AYS)

**STIPULATION AND ORDER
DISMISSING WITH PREJUDICE
PLAINTIFF'S NEW YORK
EXECUTIVE LAW CLAIMS AND
DEFENDANTS JON ROBB MERKEL,
CRISTEL COLON, AND KRISTIN
WHITE FROM THE COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff ELIZABETH M. GINTY ("Plaintiff") and her attorneys of record Scott Michael Mishkin, P.C., and Defendants BROOKHAVEN SCIENCE ASSOCIATES, LLC, CRISTEL COLON, and KRISTIN WHITE ("Defendants"), and their attorneys of record Littler Mendelson, P.C., that the following Stipulation may be entered as an Order by the Court to give effect to the stipulations set forth below:

1. On or about December 17, 2019, Plaintiff filed her Complaint against Defendants in the United States District Court for the Eastern District of New York alleging violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.* ("Title VII") and the New York Executive Law § 290, *et seq.* ("New York State Human Rights Law").

2. The parties now **HEREBY STIPULATE AND AGREE** to the dismissal of Plaintiff's New York State Executive Law/New York State Human Rights Law claims, *with prejudice* and without costs, disbursements or attorneys' fees to any party. This Stipulation is intended to dismiss all of Plaintiff's New York State law causes of action.

3. Plaintiff **FURTHER STIPULATES AND AGREES** to the dismissal of Defendants Cristel Colon, Kristin White, and Jon Robb Merkel¹ from the Complaint, *with prejudice*.

Date: February 19, 2020
Melville, New York



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Attorneys for Defendants

SO ORDERED:

U.S. District Court Judge

Dated

4819-6412-6388.1 090723.1003

¹ Though counsel for Defendants do not currently represent Defendant Jon Robb Merkel, Plaintiff has chosen to voluntarily dismiss Merkel from the action *with prejudice*, and has used this Stipulation as a mechanism to accomplish such dismissal.